IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

Bail Appl..No. 4288 of 2007()

(CRIME NO.119/07 OF VALLIKUNNAM POLICE STATION)

: PETITIONERS/ACCUSED 2 & 3

1. BIJU, S/O NARAYANAN,
NARAYANA BHAVANAM, VALLIKUNNAM MURI,
VALLIKUNNAM VILLAGE.

2. UNNI @ UNNIKRISHNAPILLAI,
S/O THULASIDHARAN NAIR, THAYYIL VEEDU,
VALLIKUNNAM MURI, VALLIKUNNAM VILLAGE.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENTS: STATE/COMPLAINANT

STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4288 of 2007

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Dated this the 16th day of July, 2007

ORDER

Application for regular bail. The petitioners are accused 2 and 3. Crime has been registered inter alia under Sec.308 and 324 IPC. Alleged incident took place on 27.06.07. On account of prior animosity, the petitioners along with others had allegedly attacked the defacto complainant with a dangerous weapon. He had suffered serious injuries. Investigation is in progress. The petitioners were arrested on 27.6.07. Application for anticipatory bail of the 1st accused was rejected and the 5th accused, a woman was granted anticipatory bail as per order dated 11.7.07 in B.A.No.4186/07. The petitioners are continuing in custody from 3.7.07. The learned counsel for the petitioner prays that regular bail may be granted to the petitioners.

2. The learned Public Prosecutor does not oppose the application but submits that appropriate conditions may be imposed considering the nature of the allegation and the injuries suffered. The Investigators shall be given sufficient further time to complete the investigation. Having considered all the relevant inputs, I am satisfied that the petitioners can be granted regular bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 23/07/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the Investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months from the date of their release. Thereafter, they shall make themselves available for interrogation as and when directed by the investigating officer in writing to do so.

iv) The petitioners shall not enter the jurisdiction of the Vallikkunnam Police Station for a period of two months from the date of their release except for the purpose of complying with the condition No.iii.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE